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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/626,026	07/27/2000	Ashok Sengupta	54942USA4A.002	54942USA4A.002 9991	
32692 75	90 07/27/2006		EXAMINER		
3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427			LEVY, NEIL S		
ST. PAUL, MN 55133-3427			ART UNIT	PAPER NUMBER	
			1615		
			DATE MAILED: 07/27/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	09/626,026	SENGUPTA ET AL.				
Office Action Summary	Examiner	Art Unit				
	NEIL LEVY	1615				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 05 M	av 2006					
·						
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims	•					
4) Claim(s) 45 and 49-57 is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>45,49-57</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or election requirement.						
Application Papers						
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:						
	1. Certified copies of the priority documents have been received.					
Certified copies of the priority documents have been received in Application No      Copies of the certified copies of the priority documents have been received in this National Stage.						
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
Coo the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
)  Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)	4)  Interview Summary ( Paper No(s)/Mail Da	(PTO-413) te.				
Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) U Notice of Informal Pa	atent Application (PTO-152)				
Paper No(s)/Mail Date 6)  Other:						

## **DETAILED ACTION**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

## Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 51-54,56 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for water soluble compositions, does not reasonably provide enablement for the claimed articles & methods. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with these claims. On its face, a water soluble polyurethane composition would have too short a life to provide the claimed antimicrobial effects, when in the presence of water, such as rain on a roof shingle. The length of efficacious action would be fleeting, & suggests a missing element(s) in the claims to method & articles- the polymer must not be in a water soluble form as claimed, if it is at all useful as antimicrobial applied on articles.

## Claim Rejections - 35 USC § 103

Claims 45,49-57 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gould et al 4451635 in view of Green et al 3931319 & Vandergaard 4110286

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Applicant's arguments filed 5/5/06 have been fully considered but they are not persuasive. applicants argue G ould does not specify end capped Quarternary groups, thus fails to provide a basis for obviousness over the instant claims. However, the general statements in Gould lead one in the art to appreciate insertion in any number of positions, thus, resulting in end capping; motivated by Green's showing of enhanced antimicrobial efficacy.

As argued by applicant's, we fail to find end capped groups in Haase, thus this rejection is withdrawnAny inquiry concerning this communication or earlier communications from the examiner should be directed to NEIL LEVY whose telephone number is 571-272-0619. The examiner can normally be reached on Tuesday-Friday, 7 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL WOODWARD can be reached on 571-272-8373. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner
Art Unit 1615

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